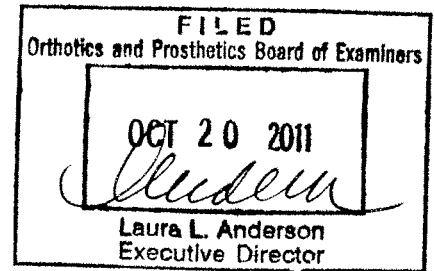


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
OCCUPATIONAL THERAPY ADVISORY COUNCIL

IN THE MATTER OF

VALERIE CARNEY  
License No. 46TR00346600

LICENSED TO PRACTICE OCCUPATIONAL  
THERAPY IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

The New Jersey Occupational Therapy Advisory Council ("Council") reviewed information regarding Valerie Carney ("Ms. Carney" or "respondent"), a licensed occupational therapist. The review was initiated upon receipt of a letter from Liberty Health, Jersey City Medical Center, that indicated Ms. Carney, a per diem employee, was no longer scheduled to work at that facility following a complaint of abuse regarding a pediatric patient. Ms. Carney appeared with counsel, Joseph Gorrell, Esq., at an inquiry conducted by the Council on September 16, 2010.

Ms. Carney testified that she had treated E.B., a nine year old boy diagnosed with

autism, for three to five sessions in September 2009. According to her testimony, at the last session, E.B. became aggressive and scratched her. She then scratched his arm, leaving two marks. Respondent admitted that it was a "mistake" and "not a good decision."

She did not report the incident to her supervisor at the time it occurred, nor did she write a note in the boy's chart for that day. The boy's grandparents subsequently complained to a supervisor and Ms. Carney was released from the per diem assignment. She did not practice occupational therapy between September 2009 and September 2010.

Following review of the record created and the results of an independent psychological evaluation by Daniel Watter, Ed.D., the Council has determined that respondent may safely practice occupational therapy. Nevertheless, when she failed to control her reaction to a child's outburst, she acted in a manner inconsistent with good occupational therapy practice. Further, by failing to make a record of the occurrence or other notes from child's visit, she did not comply with the Council's rules on record keeping.

These facts provide a basis for disciplinary action as respondent's conduct constitutes professional misconduct in violation of N.J.S.A. 45:1-21(e), and is a violation of the regulations governing the practice of the profession, specifically, N.J.A.C. 13:44K-10.1 (record keeping).

It appearing that the respondent desires to resolve this matter without further proceedings and the Council finding entry of the Consent Order to be in the public interest,

IT IS ON THIS 14 DAY OF October, 2011,

ORDERED and AGREED that:

1. Valerie Carney shall practice occupational therapy only under supervision for a minimum of 500 hours. The licensed occupational therapist supervising Ms. Carney shall be qualified as a supervisor under N.J.A.C. 13:44K-6.2(g). The supervisor shall be provided with a copy of this order and shall agree to submit bi-monthly reports to the Council regarding the nature of Ms. Carney's practice and her ability to practice with skill and safety. Reports shall be forwarded to Laura Anderson, Executive Director, Occupational Therapy Advisory Council, P.O. Box 45037, Newark, New Jersey 07101. Upon completion of the 500 hours, the Council, based on its review of the reports, will decide whether supervision shall continue and for what period.

2.. Respondent shall complete remedial education in behavioral management practices for pediatric clients, including those with autism and managing explosive clinical situations. The education course shall be in-person, not less than seven hours in length, and be pre-approved by the Council. Respondent shall also complete a pre-approved course in record keeping, which course shall not be less than four hours in length. Proof of completion shall be submitted to the Board within six months of the entry of this order.

3. Respondent shall pay a civil penalty in the amount of \$500. Payment shall be by check or money order made payable to the State of New Jersey and submitted to Laura L. Anderson, Executive Director, at the address in Paragraph 1 contemporaneous with the signing of this order.

4. Failure to remit payment required by this Consent Order will result in the filing of

a certificate of debt.

5. Failure to comply with any of the terms of this Consent Order may result in further disciplinary action.

OCCUPATIONAL THERAPY ADVISORY COUNCIL

By: Betty Thomas  
Betty Thomas, Chair

I have read and I understand  
this Consent Order and agree to be  
bound by its terms. I further  
consent to the entry of  
this Order.

Valerie Carney  
Valerie Carney

9/27/11  
Date

I consent to the form and entry of this  
order.

Joseph Gorrell  
Joseph Gorrell, Esq.  
Attorney for respondent

10/3/11  
Date